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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,462	05/08/2001	Peter Staats	L-F / 207US	3615
26875	7590	11/15/2005		
WOOD, HERRON & EVANS, LLP 2700 CAREW TOWER 441 VINE STREET CINCINNATI, OH 45202			EXAMINER MANTIS MERCADER, ELENI M	
			ART UNIT	PAPER NUMBER
			3737	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/851,462

Applicant(s)

STAATS ET AL.

Examiner

Eleni Mantis Mercader

Art Unit

3737

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments filed on 8/23/20005 have been fully considered but they are not persuasive. During an Examination, it is the teaching that the references provide that can be used to combine and construct a reasonable rejection, not whether the equipment are first, second or third generation equipment. The Examiner maintains the previous rejection on the basis of the same teachings and motivations. The motivation to combine can come from the primary or secondary reference. In the current case the secondary reference of Kormos et al.'285 provides the motivation, which as stated in col. 6, lines 15-18, the power supply of the device of interest in the MRI room is removed and effectively replaced by a shielded wire to a remote power supply. This teaching does not destroy the teaching of Critchlow et al.'555, because Critchlow et al.'555 shields the power supply with a Faraday cage to avoid EMI. Critchlow et al.'555 further teaches that any connective wires can be shielded to avoid EMI (see 0044-0045). Therefore, it is apparent that as long as there is shielding either of the wires bringing in the power to the injector or whether the battery is shielded the end result is the same, low EMI. Kormos et al.'285 teaches use of shielded cables to introduce the power as opposed to shielding the battery. This is the motivation to alter Critchlow et al.'555, thereby providing a valid reason for maintaining the 103 rejection, in other words an alternative shielding to reduce EMI.

With respect to the single connection for the power and data signals, this is not claimed in independent claim 1. Furthermore, the use of the word "single" is not used in the claims. However, both the Critchlow et al.'555 and the Kormos et al.'285 references teach the fiber optic cable for providing control signals, and as stated in Kormos et al.'285 col. 6, lines 30-33,

Art Unit: 3737

this is to allow for better transmission of the signals without degradation of data over long distances. Therefore, it would have been obvious to one skilled in the art at the time that the invention was made that over short distances the use of shielded cables are equivalent to fiberoptics and one skilled in the art would be motivated to use one instead of the other as a functional equivalent providing the same end result of signal and/or power transmission.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Critchlow et al.'555 in view of Kormos et al.'285.

Critchlow et al.'555 teach a power injector system and a method for use with a magnetic resonance imaging system installed at least in part within an electromagnetic interference shielded room electrically accessible via a penetration panel (in Figure 1, scanner room 115 which is electrically accessible via penetration panel 142 also see paragraph 0014), the power injector system comprising: a power head adapted for operation within the shielded room to controllably inject a compound into a patient (see paragraph 0030 and paragraphs 0042-0045; referring to the components of the injector including the power being enclosed in a Faraday cage 137 in order to shield and reduce EMI noise) and a control panel 110 as indicated in Figure 1 to control the injection process by signals transmitted through the fiber optic 140 (see 0038).

Critchlow et al.'555 do not teach a power supply for operation outside the shielded room to receive utility electrical power; and a power connection configured to couple electrical power through the penetration panel between the power supply outside of the shielded room and the power head for actuating the power head.

In the same field of endeavor, Kormos et al.'285 teach the use of shielded spaces to enclose the equipment of choice in the MRI shielded room (see col. 5, lines 27-56). Kormos et al.'285 further teach the modification of using a remote power supply with a coupled shielded wire thereby removing the power from the MRI room in order to reduce EMI noise (see col. 6, lines 9-33).

It would have been obvious to one skilled in the art at the time that the invention was made to have modified Critchlow et al.'555 in view of Kormos et al.'285 to incorporate the use of a remote power supply with a shielded wire instead of an enclosed power supply as an alternative way of reducing EMI noise.

Critchlow et al.'555 further teach a power control adapted for operation within the shielded room interposed between the power supply and the power head, the power control operable to selectively actuate the power head with power received via the power connection from the power supply (see paragraphs 0033-0034 and referring to the power drive card 230).

Both the Critchlow et al.'555 and the Kormos et al.'285 references teach the fiber optic cable for providing control signals, and as stated in Kormos et al.'285 col. 6, lines 30-33, this is to allow for better transmission of the signals without degradation of data over long distances. Therefore, it would have been obvious to one skilled in the art at the time that the invention was

made that over short distances the use of shielded cables are equivalent to fiberoptics and one skilled in the art would be motivated to use one instead of the other as a functional equivalent providing the same end result of signal and/or power transmission.

***Conclusion***

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eleni Mantis Mercader whose telephone number is (571) 272-4740. The examiner can normally be reached on Mon. - Fri., 8:00 a.m.-6:30 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Casler can be reached on (571) 272-4956. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Eleni Mantis Mercader  
Primary Examiner  
Art Unit 3737

EMM